

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF	)	
TIDEWATER UTILITIES, INC. FOR A	)	
CERTIFICATE OF PUBLIC CONVENIENCE AND	)	
NECESSITY TO PROVIDE WATER SERVICES	)	PSC DOCKET NO. 19-0278
PURSUANT TO 26 <i>DEL. C.</i> § 203C	)	
(“MILLER’S SPE LLC”)	)	
(FILED APRIL 26, 2019)	)	

**ORDER NO. 9421**

**AND NOW**, this 16th day of July 2019, the Delaware Public Service Commission (“Commission”) determines and orders the following:

**WHEREAS**, on April 26, 2019, Tidewater Utilities, Inc. (“Tidewater”) filed an application (“Application”), with the Commission pursuant to 26 *Del. C.* § 203C(e)(1)b. seeking a Certificate of Public Convenience and Necessity (“CPCN”) to expand its facilities and operations to provide water service to three parcels of land in Sussex County, Delaware, more specifically identified as Tax Map Parcel Numbers 335-12.05-8.00, 335-12.05-9.00 and 335-12.05-10.00 (the “Proposed Service Area”); and

**WHEREAS**, the Commission Staff (“Staff”) reviewed the Application to ensure compliance with the statutory provisions of 26 *Del. C.* § 203C and 26 *Del. Admin. C.* § 2002, the Commission’s “Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities” (the “Regulations”); and

**WHEREAS**, Staff notes that the Application included evidence that Tidewater had mailed to the landowners of record in the Proposed Service Area a notice regarding the Application and the options available to the landowners of record. In addition, Tidewater provided evidence via

affidavits of publication to show that it had published notice of the Application in two newspapers of general circulation. Staff also notes that it has received no other comments regarding Tidewater or the Application in response to the published notices; and

**WHEREAS**, Staff has submitted to the Commission a memorandum that confirms the Application meets all of the requirements for granting Tidewater a CPCN for water services pursuant to 26 *Del. C.* § 203C and the Regulations. Accordingly, Staff has recommended that the Commission approve the Application.

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

1. Pursuant to 26 *Del. C.* § 203C(e), Tidewater is hereby granted a CPCN to serve the Proposed Service Area identified by the Tax Map Parcel Numbers 335-12.05-8.00, 335-12.05-9.00 and 335-12.05-10.00.

2. Tidewater shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules, and permit conditions that are applicable, or may become applicable, to any matter involving water utility services provided to the service territory granted by this CPCN.

3. The Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chairman

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary